

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

THEODORE WIESINGER,)
)
Plaintiff,)
)
v.) 2:14cv47
) Electronic Filing
CAROLYN W. COLVIN, Acting)
Commissioner of Social Security,) Judge Cercone
) Magistrate Judge Mitchell
Defendant.)

MEMORANDUM ORDER

On January 10, 2014, Plaintiff Theodore Wiesinger filed a complaint against the Commissioner of Social Security seeking judicial review of the denial of his claims for Disability Insurance and Supplemental Security Income benefits. The case was referred to a United States Magistrate Judge for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(A) and (B), and Rules 72(C)(1) and 72(C)(2) of the Local Rules for Magistrate Judges.

On September 2, 2014, the magistrate judge filed a Report and Recommendation, recommending that Plaintiff's motion for summary judgment [ECF No. 9] be denied and the Defendant, the Commissioner of Social Security's motion for summary judgment [ECF No. 12] be granted. *See Rep. and Rec.* [ECF No. 16].

Service of the Report and Recommendation was made on the parties. The parties were informed that in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and the Local Rule of Court 72.D.2, they had fourteen (14) days to file any objections. On September 2, 2014, Plaintiff timely filed objections. [ECF No. 17]. On September 25, 2014, Defendant filed a timely response to Plaintiff's objections. [ECF No. 18].

After a *de novo* review of the pleadings and documents in this case, together with the Report and Recommendation, and the pleadings thereto, the following Order is entered:

AND NOW, this 3rd day of October, 2014,

IT IS HEREBY ORDERED that Plaintiff's Objections are OVERRULED; and

IT IS FURTHER ORDERED that Plaintiff's motion for summary judgment [ECF No. 9] is DENIED and that Defendant's motion for summary judgment [ECF No. 12] is GRANTED.

Magistrate Judge Mitchell's Report and Recommendation [ECF No. 16] dated September 2, 2014 is adopted as the Opinion of the Court.



David Stewart Cercone
United States District Judge

cc: Honorable Robert C. Mitchell,
United States Magistrate Judge
Kenneth R. Hiller, Esquire
Paul Kovac, Esquire

(*Via CM/ECF Electronic Mail*)